



IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

DAVID SANBORN,  
Defendant.

No. 1:13cr68

18 U.S.C. § 1031 & 2

(Major Fraud against the United States)

**Criminal Information**

The United States charges that:

**Count 1**

(Major Fraud against the United States)

***The Contract Award***

1. In or about August 2006, the United States, in a procurement of services, awarded National Aeronautics and Space Administration ("NASA") prime contract number NNK06MA86B ("Contract A86B") to Company B, the value of said prime contract being \$2,970,000.00.

***The Scheme and Artifice***

2. Beginning in or about 2003 and continuing up to in or about February 2012, in connection with the foregoing and other procurements, the defendant, David Sanborn, with others known and unknown, executed and caused to be executed a scheme and artifice to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations and promises.

3. It was part of the scheme and artifice to defraud the United States and to obtain money and property by means of false and fraudulent pretenses, representations and promises,

that the defendant would and did: (i) falsely represent to the Small Business Administration (“SBA”) and multiple U.S. government agencies, including NASA, that Company B was eligible for SBA-administered contracting preferences (including those provided under its “8(a) Business Development Program” for disadvantaged small business owners and those provided to small businesses more generally) when Company B was not, in fact, eligible for such preferences; (ii) falsely represent to the SBA that Company A, which was not eligible for the aforementioned SBA contracting preferences, did not exercise control over Company B, when in fact Company A and its management created and controlled Company B to obtain SBA-administered contracting preferences on Company A’s behalf; and (iii) cause Company B to receive 8(a) and small business contract awards, including Contract A86B, to which Company B was not entitled.

***Execution of the Scheme and Artifice***

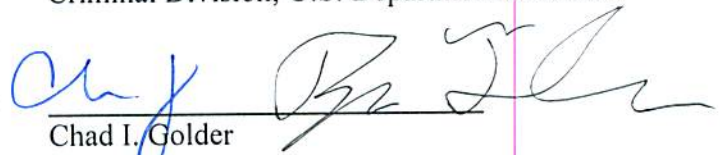
4. From in or about April 2006 through in or about February 2012, within the Eastern District of Virginia and elsewhere, the defendant, Sanborn, knowingly executed the scheme and artifice in connection with Contract A86B by intentionally creating and causing to be submitted to NASA task order proposals and other required information in connection with Contract A86B, despite knowing that Company B was not eligible for that contract because Company A and its management (including Sanborn) created and controlled Company B to obtain SBA-administered contracting preferences on Company A’s behalf. As a result of these and other fraudulent actions, NASA paid Company B a total of \$1,988,539.87 on Contract A86B, none of which Company B was entitled to receive.

(All in violation of Title 18, United States Code, Sections 1031 and 2.)

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By:



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